

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
COOKEVILLE DIVISION**

**FRED RAY HESTER,**

**Plaintiff,**

**v.**

**LITTON LOAN SERVICING,**

**Defendant.**

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**No. 3:09-00144  
JUDGE HAYNES**


**ORDER**

Upon review of the file, Plaintiff did not respond to the Court's Order to respond to discovery (Docket Entry No. 20) or risk dismissal of this action. This action is **DISMISSED with prejudice** for Plaintiff's failure to prosecute. Fed. R. Civ. P. 41(b). The Defendants' motion for sanctions to include dismissal (Docket Entry No. 21) is **DENIED as moot**.

This is the Final Order in this action.

It is so **ORDERED**.

**ENTERED** this the 20 day of June, 2011.

  
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WILLIAM J. HAYNES, JR.  
United States District Judge